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December 12, 2013

VIA HAND DELIVERY

The Honorable Denise L. Cote
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street, Room 1610
New York, New York 10007-1312

Re: Updated Request to File Document Under Seal in *In re Electronic Books Antitrust Litig.*, Case No. 11-MD-2293 (DLC); State of Texas et al. v. Penguin Group (USA) Inc., Case No. 12-CV-3394 (DLC)

Dear Judge Cote:

I write on behalf of Apple Inc. Pursuant to the Court's December 9, 2013 order, Apple submits to the Court the Corrected Declaration of Jonathan Orszag with proposed redactions of Confidential and Highly Confidential Information that is not already in the public record. Counsel for Apple (O'Melveny & Myers LLP) and counsel non-party Amazon.com, Inc., met-and-conferred, and Amazon had no objections to these proposed redactions.

Apple has enclosed with this letter: (1) one full copy of the Declaration with the proposed redactions highlighted; and (2) one loose-leaf set of only those pages from the Declaration containing proposed redactions. Apple has concurrently served Plaintiffs with these materials.

Sincerely,

Theodore J. Boutrous Jr. 1c#

Theodore J. Boutrous Jr.

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